

## **Lower Passaic River Cleanup Interview Summary**

### **August 4, 2014**

This summary is based on the results of 23 stakeholder interviews conducted by SRA staff from January to June 2014 as well as on public comments made during two EPA public meetings on the Proposed Cleanup Plan for the Lower Passaic River (Newark and Kearny, NJ, in May 2014). It is not in any way intended to be representative of the views of all Lower Passaic River community stakeholders. Rather, it is intended to report what we heard from respondents and commenters by summarizing and synthesizing their comments, not evaluating their merits or recommending specific strategies for conducting outreach or processes or mechanisms for obtaining community input. To that end we have grouped comments into two broad sections: 1) conducting outreach, and 2) issues of concern related to proposed cleanup activities that will require additional outreach and input. Each section is organized into broad themes, recognizing that some comments may fit into multiple themes and there may be overlap among themes.

SRA conducted the majority of the interviews during January and February, prior to EPA's release of the Proposed Cleanup Plan for the Lower Passaic River. As a result, SRA was able to obtain much more focused comments on EPA's outreach efforts (because EPA had been conducting outreach for many years) than on concerns regarding planned cleanup activities. Although EPA had been sharing information about cleanup alternatives during the Focused Feasibility Study process and suggested that a remedy would involve significant amounts of dredging and capping, it still was not an official proposal when roughly 80% of the interviews were conducted. It was difficult for stakeholders to comment on something that at the time was still an abstraction; there was no formal proposal to which they could react.

With respect conducting outreach related to Lower Passaic River cleanup activities, one overarching theme (mentioned by nearly all respondents) is that people who have not been regularly engaged with the cleanup or with the Community Advisory Group (CAG) do not understand the nuances of the cleanup process, the relationships between the various components of the Diamond Alkali site, and may in fact be unaware that there is a Superfund site near them. This fact combined with the area's large and diverse population underscores the importance of using multiple channels and venues to deliver information about proposed or planned cleanup activities and make the information relevant to diverse audiences. We recognize this is no small challenge, especially in a climate of limited Agency resources.

It is vital that EPA continue to make use of existing organizations/networks and their distribution mechanisms as part of its effort to identify stakeholders who are not currently engaged in or aware of the Superfund site and planned cleanup activities on the Lower Passaic. Prior to the release of the Lower Passaic River Proposed Plan, several respondents observed that EPA had not done an effective job explaining and promoting its cleanup proposal, especially when compared to the aggressive outreach effort of the Cooperating Parties Group. Currently, EPA is in the process of receiving public comment process on the Lower Passaic River Proposed Plan. As part of this process, EPA has held three public meetings to present and receive comments on the Proposed Plan and participated in two issue-specific forums hosted by the New Jersey Institute of Technology and the Passaic River Institute. These meetings and forums are good mechanisms for informing the public and getting a feel for community concerns; however, they

tend to reach people who are already somewhat informed about the site and its cleanup efforts, not those that are unaware and who may yet be impacted.

The following summarizes responses to three topics related to Proposed Plan outreach:

- 1) Conducting outreach
- 2) Issues of concern requiring additional input.

## **Conducting Outreach**

This topic is divided into two sections: outreach mechanisms and outreach content.

### Outreach Mechanisms

Many respondents noted the area's diverse population (in terms of ethnic groups, number of languages spoken, and educational levels) and the importance of sharing information in culturally competent and appropriate forms through meaningful community networks and associations as well as through local governments. They indicated it is not enough for EPA to expect people to get meaningful information through EPA's web site (quotes include: "it's terrible"... "poorly organized"... "a treasure hunt"... "many people don't speak English or lack internet access") or EPA-sponsored public meetings (quotes include "too intimidating"... "too technical"... "not convenient").

Respondents suggested EPA use the following outreach mechanisms to inform the public about cleanup activities on the Lower Passaic:

- Media:
  - Publish notices in print media/newspapers, including Star Ledger and Record
  - Work with local ethnic media outlets (including social media, TV, and radio)
  - Meet with editorial boards to post announcements
  - Local cable network, including Cablevision
- Meet with impacted local government/officials/communities to explain planned cleanup activities (some noted EPA's success briefing some municipalities over the past year as an example). When notifying local government about planned cleanup activities, be sure to notify staff members and not just elected officials, who may be term-limited. Attend town council meetings where appropriate.
  - North Ward of Newark
  - Cities of Newark and Corning
  - Bergen County
  - Essex County Environmental Commission (and other environmental commissions)
  - Other County executive offices
  - East Newark
  - Harrison
  - Kearney
  - Belleville

- Piggyback on/tap into already existing community events (e.g., community meetings, Boy/Girl Scout meetings, weekend events, Passaic River boat tours).
- Partner with local organizations to spread information through their networks via their distribution mechanisms:
  - Faith organizations (e.g., Green Faith, Faith River Coalition, individual churches)
  - Baykeeper
  - New Jersey Department of Environmental Protection
  - Universities (e.g., Passaic River Institute at Montclair University, Rutgers, Seton Hall, New Jersey Institute of Technology)
  - Association of New Jersey State Health Commissioners and State Environmental Commissions
  - Block associations
  - Rowing/crew communities and other recreational users
  - Riverkeeper
  - Lower Passaic Watershed Alliance
  - Passaic River Coalition
  - Metropolitan Watershed Alliance
  - School districts (develop materials for younger audiences; they will share with their parents)
  - Ironbound Community Corporation
  - Brick City Development Corporation (“What’s Happening on the River” newsletter)
- EPA meetings: These can be useful, but they need to be easily accessible to different communities (time and location important), must accommodate non-English speakers (Spanish at a minimum and ideally Portuguese also), and make the information more relevant to non-technical people (more on this in the section on Outreach Content below). People have neighborhood “comfort zones,” so it is best to bring meetings to communities where possible. Community-based organizations can advise EPA on the best day and time to hold meetings. Hold them outside of Newark where possible. It would be great if EPA could provide some food.
- EPA-sponsored site tours.
- Direct mailing: For example, use city-wide mailing to Newark. Alternative could be providing materials about planned activities in water bills.
- Information repositories: Work with community partners to establish information repositories in each of Newark’s five wards, and ensure that EPA materials are up to date and available in hard copy at the Newark Information Repository (Newark Library).
- Web: Ensure there is a good on-line mechanism for presenting information and allowing for comment. Our Passaic website could be used for this if the plan is displayed prominently and a comment function added.

- Phone: Have phone number to call to request a hard-copy of EPA documents.

### Outreach Content

Respondents shared the following suggestions in response to the question: “For you to understand the Proposed Plan, what kind of information should EPA communicate?” While these comments are focused on the Proposed Plan, the principles underlying these comments are generally applicable to the content of any outreach effort related to the Lower Passaic. Although not specifically asked the question, many respondents noted that outreach materials should be available in multiple languages (English, Spanish, Portuguese) and understandable to low-literacy and non-technical audiences.

- Information on community involvement: Materials should explain the goal of the outreach effort:
  - Why public is being asked for input
  - What they should provide input on
  - How EPA will use that input/what decisions it will help influence
  - Future opportunities for input after remedy selection
- Context for the information: Provide basic information or *brief* history on the cleanup process to date (perhaps a simplified cleanup process map – de-jargonized if possible – with a “you are here” indicator). Explain how EPA got “here” (e.g., EPA looked at four alternatives; we think this one is best/we chose this one; this is why).
- Presentation of information: Develop a range of materials that meet the needs of diverse audiences. Materials should be “tiered” or “nested” – e.g., develop a basic fact sheet on the plan with links or references to supporting documents (e.g., map/flowchart of Superfund cleanup process, Executive Summary of Proposed Plan, Proposed Plan, Focused Feasibility Study). Include maps and other visuals.
- Framing of the cleanup proposal/effort: Develop a clear and consistent narrative on the contaminants in the river and their impacts, what is possible to achieve with the cleanup, EPA’s cleanup goals, how the proposed plan best meets those goals, and the risks associated with the cleanup. Explain why it is the right thing to do; do not get bogged down in legalistic language of Superfund enforcement or the technical details of modeling.
- Make the information relevant to the average citizen:
  - Why should I care?
  - How will this benefit me? Will I be able to row, swim in the river, eat the fish? When?
  - What will be the footprint of the cleanup? Where will the dredging occur? What are potential or anticipated disruptions to the community or quality of life impacts?
  - Use physical/geographic reference points of significance to the public – e.g., few people think in terms of river mile

- For the necessary technical details:
  - Explain why EPA is cleaning up the Lower 8 miles before the Lower 17 miles.
  - Provide clear information on what constitutes success and how it will be measured.
  - Provide risk-benefit and cost-benefit information/analyses.
  - Address the potential for contaminant resuspension to other areas of the river and additional impact to wildlife.
  - Provide information on the mechanics of dredging – e.g., How deep will you dredge/why? Are you going to cap/why? What are you going to do with/where will you put contaminants.
  - Provide examples of where dredging on this scale has been successfully completed in similar river environments. Be candid about challenges faced and how EPA handled them.
  - Modeling should show what will happen in the river after the removal of contaminated sediment is completed.

### **Issues of Concern Requiring Additional Input**

The Proposed Plan has likely addressed many of the public's questions about how EPA intends to clean up the Lower 8 miles of the Passaic River. That is, it provides a big-picture sense of how and how much of the contaminated sediments EPA will remove, how (in general) it plans to dispose of them, how it will address the problem of residuals (capping), and generally how long it will take and how much it will cost. However, the devil is in the details. Conducting an operation of this magnitude in densely-populated, heavily-developed, diverse urban environment is certain to be disruptive in ways much of the public cannot begin to imagine.

Once a remedy is selected and the Record of Decision is signed and finalized, as part of its outreach effort it will be important for EPA to acknowledge the concerns below, if only to indicate that many of these topics will be addressed during remedy design.

- Flooding: What measures will EPA take to ensure the remedy does not increase the likelihood of flooding if there's another Sandy-like event, either during dredging or after its completion?
- Potential health risks/re-contamination: How will EPA manage the dredging operation to control for/minimize sediment resuspension and migration?
- Selection/siting of a de-watering facility:
  - What criteria will be used to select a location for the de-watering facility?
  - What will be the process for selecting a location?
  - What role will the public have in selecting a location?
- Movement of contaminated sediments:
  - How will EPA select transportation routes for transporting de-watered yet contaminated sediments from the de-watering facility to their final destination?
  - Will sediments be moved strictly by rail or also by truck?

- What measures will EPA take to ensure the safe passage of contaminated sediments?
- What role will the public have in these decisions?
- Impact on river-use during and after dredging:
  - How will EPA manage schedule conflicts on the river during dredging? Will crew teams and other river users have an opportunity to meet with EPA/the dredging contractor to set up a schedule that minimizes the impact to crew teams?
  - How will dredging impact the provision of emergency services on the river (e.g., rescue squad boats)?
  - What kind of future use restrictions are anticipated on the river once dredging is completed so the cap is not compromised? For example, will improvements to bulkheads/piers/boat ramps be permitted?
  - How will the cap/future use restrictions impact economic development along the river?
  - What role will the public have in decisions related to scheduling of dredging and restrictions on future river use?
- Quality of life issues: What will EPA do to minimize the impact to quality of life during dredging operations? For example:
  - What will EPA do to minimize bridge closures or other traffic disruptions?
  - What will EPA do to minimize noise from heavy equipment during dredging?
  - What will EPA do to minimize nuisance odors during dredging?
  - What role will the public have in these design-related decisions?
- Positive economic impacts of the cleanup: Will there be cleanup-related jobs for locals (e.g., will there be another pilot similar to the river mile 10.9 removal action)?

Given the scale and cost of the proposed remedy, there will be a need for sustained community engagement during the design and implementation of whatever remedy EPA ultimately selects. EPA will no doubt learn many of the public's most pressing concerns during the public comment process for the proposed plan that is yet ongoing. In addition, once EPA selects the remedy for the Lower Passaic, it would be beneficial to conduct another round of interviews focused on the topic of community involvement during remedy design and implementation. Prior to so doing, however, it would be helpful for EPA to develop a fact sheet or guide on the design and implementation issues on which it will seek public input and an approximate timeframe for when decisions on those issues are likely to occur. This will help set expectations and create a framework for receiving focused input on the remedy design/implementation issues of greatest concern to Lower Passaic River stakeholders.

## Individuals Interviewed

We emailed and/or called 33 individuals to request interviews. Based on that outreach, we were able to interview the following individuals. We provide their organizational affiliations below, but many of those interviewed were clear that they were providing their individual views and opinions and not speaking on behalf of their organizations.

Phil Alagia, Essex County (accompanied by other staff)  
Ana Baptista, Ironbound Community Corporation (CAG)  
Richard Budris, Essex Regional Health Commission  
Arnold Cohen, Housing and Community Development (CAG)  
Ben DeLisle, Passaic River Rowing Association (CAG)  
Robin Dougherty, Greater Newark Conservancy (CAG)  
Steve Edmond, County Engineer at Passaic County  
Stephanie Greenwood, Newark Department of Economic and Housing Development (CAG)  
Reverend Fletcher Harper, Greenfaith  
Tim Hillman, Office of Senator Robert Menendez  
Jonathan Jaffe, Jaffe Communications  
Tim Kubiak, US Fish and Wildlife Service  
Janine MacGregor, New Jersey Department of Environmental Protection  
Debbie Mans, NY/NJ Baykeeper (CAG)  
Harvey Morginstin, Passaic River Boat Club (CAG)  
Staff of Congressman Pascrell  
Jennifer Samson, NOAA Howard Marine Science Lab (CAG)  
Alberto Santos, Mayor of Kearny  
Ashley Slagle, Passaic County Sewerage Commissioners  
Shavonda Sumter, Assemblywoman, NJ General Assembly, 35<sup>th</sup> Legislative District  
Leonard Thomas, Resident (CAG)  
Ed Trawinski and Staff, Bergen County Administrator  
Dr. Meiyin Wu, Passaic River Institute